

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

<b>TruePosition, Inc.,</b>	)	
	)	
<b>Plaintiff/</b>	)	
<b>Counterclaim-Defendant,</b>	)	
	)	<b>Civil Action No. 05-00747(SLR)</b>
<b>v.</b>	)	
	)	
<b>Andrew Corporation,</b>	)	
	)	
<b>Defendant/</b>	)	
<b>Counterclaim-Plaintiff.</b>	)	
_____	)	

**VERDICT FORM**

Dated: September 14, 2007

We, the jury, unanimously find as follows:

**I. INFRINGEMENT**

1. Has TruePosition proven, by a preponderance of the evidence, that Andrew has directly infringed any of the following claims of U.S. Patent No. 5,327,144 ('144 patent)?

*"Yes" is a finding for TruePosition. "No" is a finding for Andrew.*

(A) Claim 1 Yes X No \_\_\_\_\_

(B) Claim 31 Yes X No \_\_\_\_\_

2. Has TruePosition proven, by a preponderance of the evidence, that Andrew has induced infringement of the following claims of the '144 patent?

*"Yes" is a finding for TruePosition. "No" is a finding for Andrew.*

(A) Claim 1 Yes X No \_\_\_\_\_

(B) Claim 22 Yes X No \_\_\_\_\_

(C) Claim 31 Yes X No \_\_\_\_\_

3. Has TruePosition proven, by a preponderance of the evidence, that Andrew has contributed to the infringement of the following claims of the '144 patent?

*"Yes" is a finding for TruePosition. "No" is a finding for Andrew.*

(A) Claim 1 Yes X No \_\_\_\_\_

(B) Claim 22 Yes X No \_\_\_\_\_

(C) Claim 31 Yes X No \_\_\_\_\_

4. If you found that Andrew infringed any claim of the '144 patent, has TruePosition proven, by clear and convincing evidence, that Andrew's infringement was willful?

*"Yes" is a finding for TruePosition. "No" is a finding for Andrew.*

Yes X No       

## II. DAMAGES

Answer the following question only if you find any of the '144 patent claims infringed.

5. What is the total amount of damages that should be awarded to TruePosition?

\$ 45,300,000.00

### III. DEFENSES

Answer the following questions only if you find any of the '144 patent claims infringed.

#### FRAUD

6. Has Andrew proven, by a preponderance of the evidence, that TruePosition defrauded Andrew?

*"Yes" is a finding for Andrew. "No" is a finding for TruePosition.*

Yes \_\_\_\_\_ No X

#### PROMISSORY ESTOPPEL

7. Has Andrew proven, by clear and convincing evidence, each and every one of the following elements of promissory estoppel?

- a. TruePosition made a promise.

*"Yes" is a finding for Andrew. "No" is a finding for TruePosition.*

Yes \_\_\_\_\_ No X

- b. TruePosition intended to induce Andrew's action or inaction based on the promise.

*"Yes" is a finding for Andrew. "No" is a finding for TruePosition.*

Yes \_\_\_\_\_ No X

- c. Andrew reasonably relied on the promise.

*"Yes" is a finding for Andrew. "No" is a finding for TruePosition.*

Yes \_\_\_\_\_ No X

- d. Andrew was injured by its reliance.

*"Yes" is a finding for Andrew. "No" is a finding for TruePosition.*

Yes \_\_\_\_\_ No X